

Amendments to the Drawings

The attached drawing sheets include changes to Figures 5 and 6. These sheets replace the original sheets that show Figure 5 and Figure 6. In each of the replacement sheets for Figures 5 and 6, the first cavity of claims 23, 24, 28-31, 33, 35, and 36, as first referenced and described on page 9, line 19 of the specification and now referenced in Figures 5 and 6 as 43, is shown. In each of the replacement sheets for Figures 5 and 6, the second cavity of claims 24, 27, 28-31, 33, 35, and 36, as first referenced and described on page 12, line 1 of the specification and now referenced in Figures 5 and 6 as 51, is shown.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

The present Amendment amends claims 1, 5, 6, 13, 14, 16, 18-23, 27-29, and 33; cancels claims 3, 4, 9, 15, 17, 24-26, 35, and 36; and adds claim 37. Upon entry of this Amendment, claims 1, 2, 5-8, 10-14, 16, 18-23, 27-34, and 37 will be pending. Accordingly, the application presents twenty-seven (27) total claims, of which eight (8) are in independent form (claims 1, 6, 10, 13, 20, 23, 33, and 37). For any fees which are deemed necessary following submittal of this Amendment, the undersigned hereby authorizes such fees to be charged to our deposit account, Deposit Account No. 061910.

By this Amendment, Applicant amends certain text with respect to the first sentence in the paragraph starting on page 12, line 22 and ending on page 13, line 5 of the originally-filed specification. The word "from" is replaced with the word "through" in the above-referenced sentence. This amendment is supported by both Figures 5 and 6, showing air entering the body assembly 26 (via one or more of the first and second airflow inlet openings 32, 34), passing through the heat exchanger 36, and exiting the nose pan 30. As such, Applicant believes this amendment, as already represented by Figures 5 and 6, does not constitute new matter.

By this Amendment, Applicant also amends Figures 5 and 6 of the drawings to reference both the first cavity 43 (first referenced in Applicant's originally-filed disclosure on page 9, line 19) and the second cavity 51 (first referenced in Applicant's originally-filed disclosure on page 12, line 1). As described in the disclosure, air entering the body assembly 26 via the first and second airflow inlet openings 32, 34 may flow into one or more of the first and second cavities 43, 51 depending on the position of the divider 40 (e.g., page 11, line 19 - page 12, line 5 and page 13, lines 6-20 of the originally-filed disclosure). Applicant believes such first and second cavities 43, 51 to be thoroughly described in the disclosure so as to be clearly identified in Figures 5 and 6 to now be referenced accordingly. As such, Applicant believes these amendments to the drawings do not constitute new matter.

In the Office Action, Examiner rejected claims 13-22 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, with regard to claims 13 and 20, Examiner states that each defines inlet openings and aperture openings. However, Examiner further states that the claims (including claims directly or indirectly dependent on claims 13 and

20) later refer in the singular to the “airflow outlet aperture” and “the airflow inlet opening” without stating which of the plural apertures or openings is specifically defined. By this Amendment, Applicant has amended claims 13, 14, 16, 18, and 19 to now reference the singular “airflow outlet aperture” as “a first airflow outlet aperture”. Similarly, Applicant has amended claims 20-22 to now reference the singular “airflow inlet opening” as “a first airflow inlet opening”. By amending claims 13, 14, 16, and 18-22 as described and shown above, Applicant believes the claims now specifically define the corresponding singular use of outlet aperture and inlet opening. Accordingly, Applicant respectfully requests that Examiner’s 112 rejection with respect to the above-amended claims be withdrawn. In turn, Applicant asserts that newly amended claim 20 is hereby in condition for allowance. Accordingly, the allowance of amended claim 20 thereby renders claims 21 and 22 also allowable.

In the Office Action, Examiner indicated that claim 3 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As such, claim 3 has been canceled and rewritten as a part of amended claim 1. In turn, Applicant asserts that newly amended claim 1 is hereby in condition for allowance. Accordingly, the allowance of amended claim 1 thereby renders claim 2 also allowable.

In the Office Action, Examiner indicated that claim 9 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As such, claim 9 has been canceled and rewritten as a part of amended claim 6. In turn, Applicant asserts that newly amended claim 6 is hereby in condition for allowance. Accordingly, the allowance of amended claim 6 thereby renders claims 7 and 8 also allowable.

In the Office Action, Examiner indicated that claim 17 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph, described above and to include all of the limitations of the base claim and any intervening claims. As such, claim 17 has been canceled and rewritten as a part of amended claim 13. In turn, Applicant asserts that newly amended claim 13 is hereby in condition for allowance. Accordingly, the allowance of amended claim 13 thereby renders claims 14, 16, 18, and 19 also allowable.

In the Office Action, Examiner indicated that claims 25 and 26 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As such, claims 24 and 25 have been canceled and rewritten as a part of amended claim 23. Additionally, claim 26 has been canceled and rewritten as new claim 37,

combining the elements of rejected-claim 23 and claims 24 and 26. In turn, Applicant asserts that newly amended claim 23 and new claim 37 are hereby in condition for allowance. Accordingly, the allowance of amended claim 23 thereby renders claims 27-32 also allowable, and the allowance of new claim 37 thereby renders amended claim 5 allowable.

In the Office Action, Examiner indicated that claim 36 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As such, claims 36 and 35 have been cancelled and rewritten as a part of amended claim 33. In turn, Applicant asserts that newly amended claim 33 is hereby in condition for allowance. Accordingly, the allowance of amended claim 33 thereby renders claims 34 also allowable.

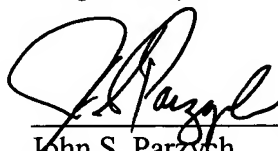
Favorable consideration and prompt allowance of the application are respectfully requested. Applicant believes that no new matter will be introduced by entry of these amendments and that the amendments are fully supported by the specification and application as a whole. Applicant has amended the claims solely to advance prosecution of this application and to obtain the allowance of claims at the earliest possible date. No admission should be inferred by these amendments. Applicant reserves the right to prosecute the originally filed claims in a continuation application.

In light of the above, Applicant submits that the present rejections should be withdrawn and prompt allowance of this application is respectfully requested. If the Examiner feels that prosecution of the present application can be materially advanced by a telephonic interview, the undersigned would welcome a call at the number listed below.

Respectfully submitted,

Dated: _____

1/9/06



John S. Parzych
Registration No. 52,097
FREDRIKSON & BYRON, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402-1425
Telephone: (612) 492-7000
Facsimile: (612) 492-7077
Customer No. 022859

Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 06-1910.

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service as First Class Mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

1/9/06
Date of Deposit

Theresa Russek
Theresa Russek

#3207385\1